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August 11, 2020

VIA ECF

Honorable Valerie E. Caproni
U.S. District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 240
New York, NY 10007

Re: *Constr. Laborers Pension Tr. for S. Cal. v. CBS Corp., et al.*,
No. 1:18-cv-7796(VEC)

Dear Judge Caproni:

The parties write jointly in response to the Court's August 7, 2020 Order regarding Lead Plaintiff's Motion for Class Certification, filed July 31, 2020 (ECF No. 140) (the "Motion"). The parties have conferred about the Motion and briefing thereof. Lead Plaintiff has agreed to withdraw its Motion without prejudice to refile a motion for class certification after the close of expert depositions on December 14, 2020.

Pursuant to the Court's Amended Case Management Plan and Scheduling Order entered on April 30, 2020, the parties shall complete class certification fact discovery by November 16, 2020 and conduct expert depositions by December 14, 2020. Additionally, the parties have, subject to Court approval, agreed to the following schedule for the refiling and completion of briefing of Plaintiff's motion for class certification:

- Lead Plaintiff shall refile its motion for class certification by December 18, 2020;
- Defendants shall file their opposition(s) to Lead Plaintiff's motion for class certification by February 16, 2021; and
- Lead Plaintiff shall file its reply in further support of its motion for class certification by April 1, 2021.

In light of the agreement set forth above, the parties respectfully submit that tomorrow's conference be adjourned. We thank the Court for its attention to this matter.

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Respectfully submitted,

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